

TTAB

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Registration No. 1,906,172  
Mark: THE FAIRMONT  
Registered July 18, 1995  
Petitioner's Ref. No. FMLP 00/06861  
Registrant's Ref. No. 4076.2USTA



02-26-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #70

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Fairmont Hotel Management, L.P. )

Petitioner, )

- against - )

Eventide, )

Registrant. )

-----X

Cancellation No. 30,742

BOX TTAB  
NO FEE

**MOTION ON CONSENT TO EXTEND  
DISCOVERY DATES AND TESTIMONY PERIODS**

The Fairmont Hotel Management, L.P. and Eventide hereby request that the Trademark Trial and Appeal Board extend by sixty (60) days the trial dates set forth in the TTAB's October 28, 2002 scheduling order. The parties are currently discussing settlement and require additional time to explore whether they can amicably resolve this dispute.

The new deadlines would be as follows:

The period for discovery to close: April 30, 2003

30-day testimony period for party in  
position of plaintiff to close: July 29, 2003

30-day testimony period for party in  
position of defendant to close: September 27, 2003

DD

15-day rebuttal period for  
plaintiff to close:

November 11, 2003

Counsel for Registrant, Greg Golla, Esq., consented to this extension by telephone on  
February 26, 2003, and authorized counsel for Petitioner to file this stipulated request on behalf  
of both parties.

Dated: New York, New York  
February 26, 2003

"Express Mail" mailing label No. EV 102858134 US  
Date of Deposit: February 26, 2003  
hereby certify that this paper or fee is being deposited with the  
United States Postal Service "Express Mail Post Office to  
Addressee" service under 37 CFR 1.10 on the date indicated above  
and is addressed to the Assistant Commissioner for Trademarks,  
2900 Crystal Drive, Arlington, Virginia 22202-3513.

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(Printed name of person mailing paper or fee)



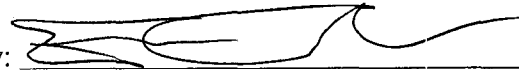
(Signature)

February 26, 2003

(Date of Signature)

Respectfully submitted,

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By: 

Lisa Pearson

Evan Gourvitz

Attorneys for Petitioner

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212-813-5933

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the Motion on Consent to Extend Discovery Dates and Testimony Periods was served by first class mail, postage prepaid, this 26th day of February, 2003, on the following:

Gregory C. Golla, Esq.  
Merchant & Gould  
3200 IDS Center  
80 S. 8th St.  
Minneapolis, MN 55402



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